



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

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December 20, 2006

In Reply Refer To:
6840 (CA930)P

EMS TRANSMISSION: 12/20/06
Information Bulletin No. **CA-2007-008**

To: Field Manager, Hollister

From: State Director

Subject: Proposed rule to revise designated critical habitat for the Monterey Spineflower (*Chorizanthe pungens* var. *pungens*) **DD: 1/24/07**

On December 14, 2006, the Fish and Wildlife Service (Service) published a proposed rule (*Federal Register* 71:75189-75215) to revise the amount of designated critical habitat for the Monterey spineflower (*Chorizanthe pungens* var. *pungens*). (See Attachment 1.) The current critical habitat proposal stems from a legal challenge to the Service's May 2002 final rule, which had designated 18,829 acres of critical habitat for this species (distributed among 10 critical habitat units). The revision contained in the current proposal would reduce the amount of critical habitat for this species to 11,032 acres (distributed among 9 critical habitat units). Under the current proposal, approximately 8,172 acres of Federal land at former Fort Ord would be designated as critical habitat for the Monterey Spineflower. This compares to 9,870 acres of Federal land at former Fort Ord that were designated as critical habitat by the 2002 final rule.

The proposed rule solicits information on several topics, including the reasons why any areas should or should not be designated as critical habitat, and the appropriateness of excluding lands at former Fort Ord from the final critical habitat designation.¹ Please review the proposed rule, and associated maps, and advise CA-930 (Attn: Ed Lorentzen) if you have comments or suggestions regarding the proposed critical habitat boundaries, or any other aspects of the proposed rule. Note that the Service has specifically requested comments on whether lands at former Fort Ord should be excluded from the final critical habitat designation because of the implementation by BLM and other agencies of management plans to conserve this species.²

¹ Section 4(b) of the ESA requires the Service to designate critical habitat, and make revisions thereto, on the basis of the best scientific data available and after taking into consideration the economic impact, and any other relevant impact, of specifying any particular area as critical habitat. **The Service may exclude any area from critical habitat if it determines that the benefits of such exclusion outweigh the benefits of specifying such area as part of the critical habitat**, unless it determines, based on the best scientific and commercial data available, that the failure to designate such area as critical habitat will result in the extinction of the species concerned.

² The proposed rule states on page 75189: Comments particularly are sought concerning: ... (7) The existence of any conservation or management plans being implemented by California State Parks, Bureau of Land Management (BLM) on former Fort Ord, or other public or private land management agencies or owners that we should consider

The deadline for submitting comments to the Service is January 29, 2007. Please provide us with your comments, if any, in electronic format by the close of business January 24, 2007. We will consolidate any comments that you provide into the response that is submitted to the Service by the State Director.

Questions regarding this revised proposed rule may be directed to Ed Lorentzen at (916) 978-4646.

Signed by:
Mike Pool
State Director

Authenticated by:
Richard A. Erickson
Records Management

Attachment

- 1 - Proposed rule to revise critical habitat for the Monterey Spineflower (*Chorizanthe pungens* var. *pungens*) (27 pp.)

Distribution

WO-230 (Attn: Steve Lydick)
Fort Ord Project Manager (CA-190; Attn: Eric Morgan)
Fort Ord Project Office (CA-190; Attn: Bruce Delgado)